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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patents

Group Art Unit: 1775
Examiner: Elizabeth Cole
P.D. File No.: 30-4496

In re Application of: GARY A. HARPELL ET AL.

Serial No.: 09/253,245

Filed: February 19, 1999

For: FLEXIBLE FABRIC FROM FIBROUS WEB AND DISCONTINUOUS DOMAIN MATRIX

Colonial Heights, VA 23834
January 20, 2000

Assistant Commissioner for Patents
Washington, DC 20231

PETITION, AMENDMENT, AND FEE TO CORRECT INVENTORSHIP

Sir:

Applicants hereby petition to correct the inventorship in the above-identified patent application. Please add the following inventors to the pending application: Alexander Lobovsky and James Alan Matrunich in the above-identified patent application.

The following documents are attached hereto:

- (1) A Statement of Facts verified by the originally named inventors establishing when the error without deceptive intention was discovered and how it occurred; and
- (2) A new Declaration executed by each actual inventor.

Relative to the diligence requirement of 37 CFR §1.48(a), the following events have occurred relative to this matter.

On February 19, 1999, applicant filed the above-identified application without the executed Declaration of Gary A. Harpell, Igor Palley, and Max W. Gerlach. On March 12, 1999, applicant received a Notice to File Missing Parts. The Missing Parts Declaration was routed to the three (3) named inventors on the filed Declaration. At that time, the inventors questioned why Mr. Lobovsky and Mr. Matrunich were not

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included on the Declaration. Our records show that two invention records were combined to form the basis of this application. However, a clerical error was made and Mr. Lobovsky and Mr. Matrunich were inadvertently left off the application as originally filed. A Petition to Accord Early Filing Date: Correct Names or Inventors Not Submitted in Filing (37 CFR 1.53(b)) was filed on April 22, 1999. On August 10, 1999, applicant faxed another copy of the April 22, 1999 Petition to Examiner Cole. Applicant discovered while reviewing the file on January 10, 2000, that a Decision had never been made on this Petition. Applicant notified Examiner Cole and she faxed the August 24, 1999 decision to Applicant. Pursuant to the Denied Decision on Petition, Applicant respectfully submits documents to support this Petition to Correct Inventorship.

Please charge the fee of \$130.00 set forth in 37 CFR §1.17(i) to Deposit Account 01-1125. A triplicate copy of this sheet is attached hereto.

Respectfully submitted,
GARY A. HARPELL ET AL.

By: Virginia Szigeti Andrews
Virginia Szigeti Andrews
Applicants' Attorney
Reg. No. 29,039

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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
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Virginia Szigeti Andrews
NAME OF APPLICANT, ASSIGNEE OR APPLICANT'S ATTORNEY

Virginia Szigeti Andrews
SIGNATURE

DATE January 21, 2000